

ROUTING AND TRANSMITTAL SLIP		Date
TO: (Name, office symbol, room number, building, Agency/Post)		
1. EXO/OIS	Initials	Date
	A	3-2
2. DD/OIS	Sp	3/2
3. D/OIS	h	4 Mar
4. BETH	BA	3/8
5. File		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Beth
 Give div chiefs + Pass off
 copy of memo signed by DCI +
 Tab A. Complete copy to me.

File orig in authorities.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
	Phone No.

5041-102

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA

IS Registry

File: 01M2

OGC 82-01543

12 FEB 1982

82-0233/1

D/OIS

OIS Registry

82-181

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence

FROM: John N. McMahon
Executive Director

SUBJECT: Delegation of Authority
to the Executive Director

1. Attached herewith for your approval and signature is a proposed delegation of authority which includes a listing of specific authorities included therein and a separate listing of other authorities of the Director and Deputy Director of Central Intelligence which are excluded as a matter of law or policy. I have also attached a draft notice to be used in the event of your and Admiral Inman's absence which would temporarily provide for a more extensive delegation so that the critical functions of the Agency may be discharged as necessary.

2. These delegations have been compiled by the Deputy Director for Administration and approved by the General Counsel. We recommend your approval.

STAT

John N. McMahon

Attachments

A - Delegation of Authority
with listings of delegated and
nondelegated authorities

B - Draft Notice for use when
DCI and DDCI are to be absent
with listing of authorities to
be temporarily delegated

OGC:LSS:tlw

Distribution:

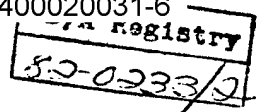
Orig - Adse
1 - DCI
1 - DDCI
1 - EXDIR
1 - ER
✓ 1 - DDA
1 - OGC

OD/OIS Distribution:

1 - C/CRD w/att A only
1 - C/IPD w/att A only
1 - C/RMD w/att A only
1 - C/RCD w/att A only
1 - C/Pers w/att A only
✓ 1 - D/OIS Subject

(8 Mar 1982) STAT

Ek J2-0454/1



24 February 1982

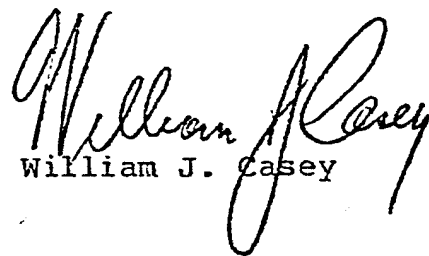
MEMORANDUM FOR: Executive Director

FROM: Director of Central Intelligence

SUBJECT: General Delegation of Authority

1. As Executive Director of the CIA you are responsible for acting on behalf of the DCI and the DDCI in the overall daily management of the CIA, including but not limited to the coordination of component activities and the development and execution of the Agency's Annual Program. To enable you to meet your responsibility, I hereby delegate to you all authorities vested in the Director of Central Intelligence and Deputy Director of Central Intelligence by law or Agency regulation as specified in part at Attachment A, except for those authorities specified in Attachment B.

2. All other delegations of authority currently in force remain valid to the extent they are not inconsistent with this delegation.



William J. Casey

cc: O/DCI
O/DDCI
D/ICS
DDI
DDO
DDS&T
DDA
C/NIC
GC
IG
COMPT
D/OEXA
D/Pers
D/EEO
AO/DCI
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Authorities Not Delegated as a Matter of Law

1. The authority of the DCI to execute formal claims of states secrets privilege. (See Reynolds v. U.S., 345 U.S. 1 (1953)).
2. The authority of the DCI to execute certifications under the Foreign Intelligence Surveillance Act. (See 50 U.S.C. § 1801 and Executive Order 12139 dated 23 May 1979.)
3. Pursuant to Executive Order 12333 as currently implemented by procedures promulgated under Executive Order 12036, the authorities of the DCI or DDCI which relate to intelligence activities of the Central Intelligence Agency conducted pursuant to Attorney General guidelines and subject to review and approval of the Attorney General; such authorities include:
 - Authority of DCI to request Attorney General approval of Central Intelligence Agency participation in foreign counterintelligence activities conducted in the United States (paragraph 1 of § 1-805 Procedures).
 - Authority of DCI to approve Central Intelligence Agency participation in Federal Bureau of Investigation or Department of Defense counterintelligence activities conducted in the United States (paragraph 2 of § 1-805 Procedures).
 - Authority of DCI to request Attorney General approval of surreptitious and continuous electronic or mechanical monitoring (paragraph 8 of § 2-203 Procedures).
 - Authority of DCI to request FBI to undertake surreptitious and continuous electronic or mechanical monitoring (paragraph 17 of § 2-203 Procedures).
 - Authority of DCI to request Attorney General approval of unconsented physical searches directed against United States persons abroad (paragraph 11 of § 2-204, 205 Procedures).
 - Authority of DCI to request FBI to conduct a physical search (paragraph 19 of § 2-204, 205 Procedures).
 - Authority of DCI to approve each instance in which Agency employees have undisclosed participation in an organization within the U.S. in order to identify and develop foreign nationals as sources or contacts (paragraph 5.g of § 2-207 Procedures).

- Authority of DCI to approve categories of permissible undisclosed participation (paragraph 8 of § 2-207 Procedures).
- Authority of DCI to request Attorney General approval of other types of undisclosed participation (paragraph 11 of § 2-207 Procedures).
- Authority of DCI to request FBI to undertake electronic surveillance in the United States (paragraph A.3 of § 2-208 Procedures).
- Authority of DCI to request Attorney General approval of electronic surveillance (paragraph A.5 of § 2-208 Procedures).
- Authority of DCI to approve classes or categories of covert procurement (paragraph 6 of § 2-303 Procedures).
- Authority of DCI to request Attorney General approval to assist federal, state or local law enforcement agencies (paragraph 6 of § 2-309c Procedures).
- Authority of DCI to designate subordinates to execute various specified functions as specified in the Executive Order 12036 Procedures (See, e.g., § 2-206).
- Authority of DCI to apply for Presidential exceptions to the Executive Order 12036 Procedures.

4. Under Executive Order 12065, the authorities of the DCI which relate to the classification of documents. Such functions include:

- Authority of the DCI (or DDCI) to classify a document after receipt of a request for such document under the FOIA or Mandatory Review provisions of the Executive Order on classification. (See § 1-606 of Executive Order 12065.)
- Authority of the DCI to delegate Top Secret classification authority (See § 1-204 of Executive Order 12065.)
- Authority of DCI to extend the classification period for individual documents beyond twenty years (See § 3-401 of Executive Order 12065.)
- Authority of the DCI to create a special access programs to control particularly sensitive classified information (See § 4-201 of Executive Order 12065.).

Authorities Not Delegated as a Matter of Policy

1. The authority of the DCI to terminate employment pursuant to Section 102(c) of the National Security Act, 50 U.S.C. § 102(c);
2. The authorities of the DCI relating to procurement as prescribed by Section 3(c) of the Central Intelligence Agency Act of 1949, 50 U.S.C. § 403c;
3. The authority of the DCI relating to the entry of certain aliens as prescribed by Section 7 of the CIA Act of 1949, 50 U.S.C. § 403h;
4. The authority of the DCI relating to a certification of expenditures as prescribed by Section 8 of the CIA Act of 1949, 50 U.S.C. § 403j;
5. The authority of the DCI relating to the payment of death gratuities as prescribed by Section 11 of the CIA Act of 1949, 50 U.S.C. § 403k;
6. The authority of the DCI to accept gifts and the related authorities as prescribed by Section 12 of the CIA Act of 1949, 50 U.S.C. § 403l;
7. The authorities of the DCI conveyed by the Central Intelligence Agency Retirement Act of 1964, as amended, 50 U.S.C. § 403 Note (see also STAT
8. The determinations by the DCI concerning persons trained in foreign espionage systems as authorized by 50 U.S.C. § 852(c) and (d);
9. The determinations by the DCI as to atomic energy information authorized by 42 U.S.C. § 2162(e);
10. The determinations by the DCI under the Atomic Weapons and Special Nuclear Materials Rewards Act as to the entry of certain aliens and payment of reward as authorized by 50 U.S.C. §§ 47c and e.
11. The determinations by the DCI under the Foreign Service Act of 1980 that the imprisonment of a foreign national resulted from his employment by the United States and that compensation is authorized by 22 U.S.C. § 3970.
12. The authority to approve regulations which increase, decrease or otherwise impact on DCI/DDCI authorities. STAT
13. Establish rates of pay of CIA employees. STAT